

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

for the

Southern District of Texas

AUG 13 2014

United States of America
v.
Ruben Guzman Martinez Jr.
United States Citizen
YOB: 1990)
)
)
)
)
)Clerk of Court
Case No. M-14-1556-M

Defendant(s)

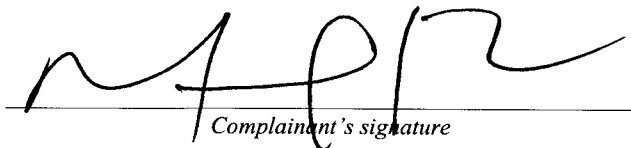
CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

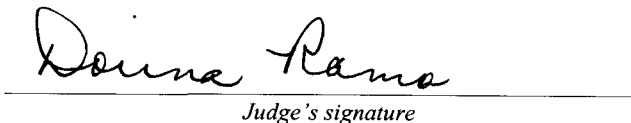
On or about the date(s) of January 31, 2014 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:Code Section
18 USC 924(a)(1)(A)Offense Description
Title 18 USC Section 924(a)(1)(A) - unlawful for any person to knowingly make any
false statements or representation with respect to the information required to be kept
in the records of a licensed Federal Firearms Dealer.

This criminal complaint is based on these facts:

See Attachment

☒ Continued on the attached sheet.
Complainant's signatureMichael Cardenas - ATF Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 08/13/2014
Judge's signatureCity and state: McAllen, TexasU.S. Magistrate Judge Dorina Ramos
Printed name and titleApproved by
Joseph Leonard

ATTACHMENT A

I, Michael Cardenas, being duly sworn, do hereby state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a Division of the United States Justice Department, and have been so employed since March 4, 2007. Prior to employment with the ATF, I was employed as a United States Border Patrol Agent for 8 months. I possess a Bachelors of Science Degree in Criminal Justice with a Minor in Sociology from the University of Texas Pan-American. I am a graduate from the Federal Law Enforcement Training Center and the ATF National Academy. As a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, I am vested with the authority to investigate violations of Federal laws, including Titles 18 and 26, United States Code.

This affidavit is in support of a criminal complaint charging Ruben Guzman-Martinez Jr. (hereinafter referred to as Guzman-Martinez), with the criminal violation set forth in Attachment A. The evidence available to me demonstrates that there is probable cause to believe that Guzman-Martinez has violated Title 18 U.S.C 924(a) (1)(A) which provide as follows:


It shall be unlawful for any person to knowingly make any false statements or representation with respect to the information required to be kept in the records of a licensed Federal Firearms Dealer.

Further, the Affiant states as follows:

1. On August 12, 2014, your affiant and Homeland Security Investigations (HSI) Special Agent Barrett McDaniel contacted Guzman-Martinez at the Pharr, TX Port of Entry (POE) regarding his purchase of two (2) Beretta pistols on January 31, 2014 from a local Federal Firearms Licensee (hereinafter referred to as FFL) in McAllen, TX.
2. After being advised of his Miranda Rights, Guzman-Martinez stated on January 31, 2014 he was contacted by a known individual and asked if Guzman-Martinez could purchase two (2) Beretta pistols from an FFL in McAllen, TX. Guzman-Martinez stated on the aforementioned date, he and the known individual entered the FFL in an attempt to purchase the two (2) Beretta pistols. Guzman-Martinez stated shortly after entering the FFL the known individual provided Guzman-Martinez with the United States Currency in order to purchase the two (2) Beretta pistols. The two (2) pistols in question were later identified as being Beretta, model 92A1, 9mm pistols, bearing serial numbers A005011Z and K98886Z. Guzman-Martinez stated upon exiting he turned over the two (2) Beretta pistols to the known individual. Guzman-Martinez stated he knew it was illegal to purchase the two (2) Beretta pistols for the known individual since question 11a of the ATF Form 4473 (Firearms Transaction Record Part I-Over-the-Counter) asks if the actual purchaser is the intended buyer. Guzman-Martinez stated he checked "yes" on question 11a of the ATF Form 4473 when in fact he was not the actual firearms purchaser.

ATTACHMENT A

Based on the above information, your affiant believes that Guzman-Martinez violated Title 18 USC 924(a)(1) (A) on January 31, 2014 when made false statements or representations with respect to the information required to be kept in the records of a licensed Federal Firearms Dealer.


Michael Cardenas - ATF Special Agent

Sworn to before me and subscribed in my presence,



U.S. Magistrate Judge Dorina Ramos

08/13/2014

Date